

TIB/83/45/SR.

Manslaughter, Sec. 212, C.C., 1936.

שם תיק: משטרת טבריה - Manslaughter - תיק הריגה
מזהה פיוז: מ-4215/27
מזהה פריט: 000xj63
כתובת 2-108-5-10-8
תאריך הדפסה: 25/06/2018

TIB/83/45/SR

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~~Beisen~~

~~Alvin Moore~~

מחלקת המידע

710

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14-80/89

24

GOVERNMENT OF PALESTINE

Gen. 2

Registry No.

$$46 \overline{) 820}$$

Other files dealing with
same Subject

Maghair

SUBJECT.

Fares es Suliman el Yusef.

GPP. 315-30,000-23.1.36-22/8

[illegible]

TIB/83/45/SR Div. Police Headquarters,

Tiberias.

1st May 1947.

Supt. of Police,
Criminal Branch,
Jerusalem.

I refer to your letter
G.138/3/45/TB dated 12th April 1947
and forward herewith a certified
true copy of Judgement.

B. M. Thomson

Asst. Supt. of Police.
Tiberias Division.

Copy to:+

Beisan P.O. together with
copy of Judgement.
G.F.

41/BC.

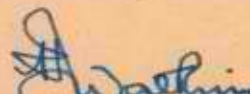
Beisan Police Station.
"I" Branch,
25th. April 1947.

A.S.P. Tiberias,

Subject:-Copy of Judgement-Beisan CR.465/45.
Ref'nce:-Your TIB/83/45/SR dated 16.4.47.

Attached please find the copy of
judgement in respect of the above mentioned case
file as requested in your letter under reference.




H. J. Watkins.

Station Officer.



IN THE DISTRICT COURT OF HAIFA.

BEFORE:- HIS HONOUR THE PRESIDENT (JUDGE WILDON).

IN THE CASE OF:-

THE Attorney-General,

vs.

Yusef Mahmoud Jarrar.

ACCUSED.

CHARGE:- MANSLAUGHTER- Contrary to Section 212 of the Criminal Code ordinance 1936.

JUDGEMENT.

The accused Yusef Farrar stands charged upon an information charging him with Manslaughter of Abdul Aziz Awad on the 13th of October, of the year 1945.

It appears that on the night of the 12/13th of October, 1945, a Customs Patrol consisting of Preventive Officer Nuhad Jarrar, prosecution witness no.8, and two Customs Guards, Abdul Hamid, defence witness no.4 and the accused, lay in wait for expected smugglers on the track running south from Murassas xx village to Raqou'a and thence to the hilly regions extending between Jenin and Nablus. Each member of this patrol took up a separate position at night some distance from the other and waited until just before sunrise, when a party of horsemen were seen approaching from the north along this track. Apparently a signal was given suddenly by one of the horsemen and the party turned tail and galloped off. One of them, Fawaz Nimer, 7th prosecution witness, was caught and arrested by the guard Abdul Hamid, the second defence witness, and one Naif Nimer who was not called as a witness by the prosecution, was caught by Customs Officer Nuhad Jarrar and two others, Abdallah Saleem and Yusef Said, prosecution witnesses nos. 5 and 2 respectively, were caught and arrested by the accused Yusef Mahmud Jarrar during a chase and encounter, during which the accused Yusef Jarrar fired a round from his Greener Gun and wounded yet another man of this party, Abdul Aziz Awad who died the next day from a gun shot wounds inflicted from the rear, some of which penetrated the intestines causing hemorrhage and death from shock. It is clear from the evidence of Dr. Bathgate that there were 17 pellet wounds ~~inflicted~~ spread over the back of the deceased, of these two or three were extracted by the doctor and have been identified in this Court as pellets of a Greener Gun cartridge by the Arms expert, Inspector Freeman. The area of the wounding on the back of the deceased was spread over 7x15 inches and I shall advert to the implications of this as testified to by Inspector Freeman later in the judgement. As a result of this man's death the accused was later charged with manslaughter of the deceased and committed for trial before this Court. He pleaded not guilty and stated in answer to the charge that he had fired but that it was in the course of his duty. It is quite clear therefore, that the fatal shot was fired by the accused and it was not an accident. Therefore, the onus of proof rests upon the accused to prove that his act was justifiable and excusable and not wilful and un-lawful as alleged by the prosecution in the charge contained in the information.

The matter of justification or excuse is, of course, a matter of law and one to be decided from all the circumstances of the case as revealed by the evidence as a whole, taking ~~into~~ into consideration the inference to be drawn and the facts proved by the evidence. This well known principle of law has been confirmed by the Court of Criminal Appeal in Mansell v. Attorney-General, reported in 6P.L.R., page 40.

Turning now to the evidence in this case, I would remark that the evidence of the accused's companions, Fawaz Nimer and Yusef Said did not show at all exactly how and what were the circumstances of the actual firing by the accused when it took place; but their evidence, of course, is not unimportant when considering and weighing up the evidence of the other prosecution witnesses as to this encounter and also when considering the evidence given by the accused in the witness box on his own behalf.

Now, the principal and indeed the only witness who actually saw the firing of the fatal shot by the accused is the 5th prosecution witness Abdallah Saleem who testified that he and four other companions of his were proceeding from Tiberias to the village of Bilet Ed Daher by a cross-country route riding on horses loaded with goods purchased in Tiberias ~~to~~ and ~~the village~~ that when between the village of Murassas and Faqou'a while they were riding on a summer track, he saw one of his companions give a signal that had been pre-arranged if robbers were seen on the road. On seeing this signal the witness stated that he together with Saleem and the deceased Aziz turned round their horses and galloped back in the direction from which they had come. This witness states that while galloping back along the track he looked back and saw the accused Harrar chasing them on his horse, that he heard the accused call upon them to stop and that he saw the accused level his rifle at them. This witness then stated that he attempted to pull up his horse which apparently stumbled and he fell off it and that his companions galloped on followed by the accused. This witness went on to state that he saw the accused level his rifle and fire at the deceased Abdul Aziz when his, the accused's, horse was actually touching the horse of Abdul Aziz and that the accused's rifle was touching the saddle of Abdul Aziz when accused fired and that Aziz cried out and fell from his horse some 50 metres further on. This witness as did Fawaz Nimer and Yusef Said, said that they were carrying goods on the animals which they purchased in Tiberias for sale in their village and that the party consisted in all of five persons, those whom I have named and the deceased.

The witnesses Yusef Said and Fawaz Nimer did not see the shooting. The witness Naif Nimer was not called and the fifth person, Aziz, is dead.

Now dealing with the evidence of this eye witness Abdallah Saleem, I have come to the conclusion that he was not speaking the truth as to the actual shooting and for the following reason: First, the evidence of Dr. Bathgate was clearly that the spread of the pellets found on the back of the deceased was over an area 7x15ins; secondly the evidence of the firearms expert, Inspector Freeman who carried out a series of tests with the actual rifle used by the accused in this case clearly shows that if the shot had been fired at the very close distance as stated by Abdallah Saleem (the accused's horse was touching the horse of the deceased and the accused's rifle had been touching his saddle) there could indeed have been little or no spread of the pellets as found on the body of the deceased, for Freeman testified that at a very close range as described by Abdallah Saleem, the charge would have emerged from the muzzle of the gun in an almost solid mass and would ~~xxxx~~ not have had time to spread in the manner as described by Dr. Bathgate; thirdly, the reason for my disbelief as to the actual circumstances of the firing as testified by this witness is that there is ample evidence before this Court that the track on which the occurrence took place was a summer track, dry and very dusty indeed at the time, and I am convinced that with horses galloping fast along this track, there must have been raised a very considerable amount of dust by the hooves of the horses of the fleeing men and by those of the accused's horse

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be carefully documented to ensure the integrity of the financial data. The second part of the document provides a detailed overview of the company's current financial status, including a breakdown of assets, liabilities, and equity. It also includes a comparison of the current year's performance against the previous year, highlighting areas of growth and potential challenges. The third part of the document outlines the company's strategic goals for the upcoming year, focusing on increasing revenue, improving operational efficiency, and expanding into new markets. It concludes with a summary of the key findings and recommendations for the management team.

The following table provides a detailed breakdown of the company's financial data for the current year. It includes a comparison of the current year's performance against the previous year, highlighting areas of growth and potential challenges. The table is organized into columns for the current year, the previous year, and the percentage change. The rows represent various financial metrics, including revenue, expenses, and profit. The data shows a significant increase in revenue and profit, while expenses have remained relatively stable. This indicates a strong performance for the current year, despite some challenges in certain areas. The management team is encouraged to continue focusing on increasing revenue and improving operational efficiency to achieve the company's strategic goals for the upcoming year.

chasing them; it would not have been possible for the witness Abdallah Saleem to have seen in this dust what had happened in the manner in which he sought to testify before this Court. Another reason for my disbelief in this witness is that his horse stumbled and he fell off it and if indeed they were being chased as he wishes to show to this Court, I am quite convinced that by the time he picked himself up from the ground the chase would have passed him by some distance and through the dust raised he could not possibly have seen what happened. In my opinion this witness could not have seen the shot fired in the manner in which he testified to this Court. I am convinced, moreover, that the party of horsemen pursued in this encounter were not the five innocent traders they tried to make themselves up to be; the found upon them when they were arrested were found to be smuggled goods, some of them bearing marks of having come from Trans-Jordan; Customs proceedings were taken against these witnesses, duty was assessed and a penalty laid. These goods were released on compounding of the duty and penalty by them. It is abundantly clear to this Court from the system of progress described by these witnesses, by sending on a look-out, by pre-arranging a signal, that they were not the innocent traders they sought to prove themselves to be, but had this manhood of them on look-out to warn them against Customs patrols. Furthermore, the route they took, if they were indeed the innocent traders coming from Tiberias to Silet Ed Maher as they wanted this Court to believe, was not at all either the normal or the nearest between the two places. Furthermore, ~~the witnesses~~ ~~and~~ their action in making off precipitously and galloping away on seeing a person whom they said they thought was a robber, but was in fact a Customs Guard in uniform was highly suspicious; it was broad daylight and they must have clearly seen it was a Customs Guard in uniform who challenged them, and in fact the witnesses Abdallah Saleem and Yusef Said said in this Court that they recognized the accused who was chasing them, yet they did not stop. I am convinced that this was a party of smugglers coming with contraband goods by an unusual and little used route for their village via Haqou'a. I refuse to believe the version put up by them of the whole affair, and as to their numbers and as to their business on this track at this time.

There remains, therefore, to be considered by this Court the evidence given by the accused, for the accused has admitted in answer to the charge in this Court that he fired the shot.

The evidence given by the accused in this Court confirms the evidence of the Customs Preventive Officer Nuhad Jarrar as to the laying in wait for and the approach of these smugglers, and indeed they were smugglers as I have found them so to be. Accused states that he was posted in one place, his companion Abdul Hamid in another place some distance away and their officer in charge at a third place some distance still further away. The accused stated that shortly before sunrise a party of some 10-12 horsemen were seen approaching from the north; that they failed to stop when challenged; that they scattered and made off in various directions. The accused went on to say that he alone chased after those who retreated by the way from which they had come, calling upon them to stop and that they galloped along this track for a very considerable distance and that when the accused called upon them to stop and while he was pursuing them shots were fired at him from one or other of the smugglers whom he was chasing. On being so fired upon by these people the accused replied with one shot fired in their direction as they were galloping along. It is clear from the accused's evidence and it is quite clear from the

circumstances of this case that when the accused fired this shot he was galloping and much dust was being raised and he could not pick out any particular man to fire at and I accept his version that when he was fired upon by this gang he was far from his companions and alone and he found himself in danger and he replied with one shot.

Some play has been made by the prosecution in this case that if indeed the smugglers had fired shots no empty cartridges were found. This in my opinion is not surprising; the chase took place over a considerable distance, the track was covered with deep dust and no evidence, moreover, had been brought by the prosecution to say that any search at all has been made to try and find any empty rounds. As I said, I accept the accused's evidence as to the fact that he was fired upon at first and that he was alone and far from his companions and trying to stop a gang of smugglers who fired on him and he fired back one shot in reply; the accused under Standing Orders issued from his Department was entitled to make use of his Greener Gun in these circumstances. In my opinion there is no doubt whatsoever that the accused was fired at with intention of either disabling him or seriously wounding him so as to facilitate the escape of the smugglers with their goods. In my opinion this officer has bravely carried out his duties in chasing this gang of smugglers alone and far from his companions and he was justified, in my opinion, in law in firing under the circumstances as described in this case and I hold that the accused has discharged the onus put on him and I acquit him of the charge brought against him.

THIS 11th day of February, 1947, in presence of Issa Eff. Hazou for the Attorney-General and Fuad Bey Attallah for the accused and the accused in person.

PRESIDENT.

SWW/RH: checked:
7 Copies.



TIB/83/45/DR

Divisional Police HQ.,

Tiberias.

16th. April 1947

Station Officer,
Beisan P.S.

Subject:- Beisan P.S. Case No.
465/45, C.C. 178/46

Please forward copy
of judgement in respect of the
above-mentioned case.

A. Thomson

A.S.P. Tiberias.

Copy to-
C.F.

C.138/3/45/TB.

C.I.D. HEADQUARTERS,
JERUSALEM.

¹¹
12 April, 1947.

Tiberias.

I refer to the Final
Report concerning your Special Report
No. TIB/83/45/SR. Please forward
forthwith a copy of judgment in this
case.

Kindly address your reply to:-
Superintendent Criminal Branch,
C. I. D. Headquarters,
Jerusalem.

h. Saad

(SH. F. SAAD)

SUPERINTENDENT CRIMINAL BRANCH,
C.I.D. HEADQUARTERS.

12 Apr '47

*Please see
S.A.
1574*



Ask Bureau 15/4

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

44-1386/3-15/58

12 April, 1958

Tribes.

I refer to the final
Report concerning your Special Agent
No. TIB 63/15/58. Please forward
forthwith a copy of judgment in this
case.

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

44-1386/3-15/58

A.I.G., C.I.O. דר"ח סופי. FINAL REPORT. التقرير النهائي

T13/83/45/ R. Division القسم امور

Offence Tiberias, Salim P. الجرم העברה

Serial number of Special Report Can. laughter, cc. 312, C.C.O., 1936. الرقم المتسلسل للتقرير الخاصي

Date of submission of Special Report 83/45. המספר הסדורי של דר"ח המיוחד

GPP, 11704-5000-12-12-40 1604/S. 17.10.45. تاريخ تقديم التقرير الخاصي

Name of accused Yusuf Mahmoud Gassar, Customs Guard 894. اسم المتهم شمس الحاشم

Court delivering judgment District Court, Haifa.

P.T.O.

المحكمة التي اصدرت الحكم
بيت الدين شوحيا او فاسك الدين

Sentence

מסמך חוק

Acquitted. (District Court Case No. 178/46).

Date of sentence

תאריך המשפט

Prison to which
transferred

הסגן الذي نقل اليه

11.2.47

תאריך מסמך חוק

בית הסגן של שם העבירו את האסיר

Remarks

מلاحظات

Copy to :-
1. - apt. of Police, Galilee,
2. - A.D.C., Southern Galilee, Nazareth.
3. - Prison, with a copy of judgment.

Place

المحل המקום

Tiberias.

Date

2.4.47.

التاريخ התאריך

الامضاء التوقيع

Appointment

משרת

PD/3/ND

District Police Headquarters,
Galilee District,
Nazareth.

20th March, 1947.

TIBERIAS.

I refer to your letter
No. TIB/21 / 16 dated 18.2.47, and
forward herewith copy of judgment
in respect of Court Case No. 178/46
as requested by you.

(A.L. Brown.)

/ A /supt. of Police,
Galilee District.

Copy to :- C.F.



*Just
C. L. nea*

Blk

*ASP
I have rec
P/22/3*

*I have pass to Bureau P.S.
There is a S.R. for this case P/27/3*

[Vertical handwritten notes in various colors: pink, green, orange, and black ink.]

[Faint handwritten signature or initials.]

[Faint printed text, possibly a date or reference number.]



[Handwritten notes at the bottom left, including 'A29' and '1 hour' written upside down.]

[Handwritten signature or initials at the bottom center.]

TIB/83/45/R.

P. 233. PROGRESS REPORT.

A.I.C., C.I.D.

Tiberias Division. Beisan Police Station.
Offence:- Mann Laughter, sec. 312, P.C.O., 1936.
Special Report No. 83/45.

Date of submission:- 17.10.46.

Progress Report No. 8.

Complainant :- A.G. on behalf of the deceased Abdul
Aziz Khan son of Billal Dabab.

Accused :- Customs Guard Yousuf Bahad. "Khar."

On 9.10.46 case was adjourned by the District Court
sitting at Bamsarth owing to absence of witnesses.
Date of trial not yet known.

Tiberias.
20.10.46.

/ S. P. Tiberias

Copy to :- Capt. of Police, Baidog,
" A.I.C., Southern Palestine, Baidog.

Handwritten signature

P.R.

On 9.10.46. the Dist Court sitting at Nazareth
adjourned the trial of this Case owing to absence
of few witnesses. Date not fixed yet.

11/10

A.S.P.

P.R.

On 9.10.02. the said Canal
reformed the ship of this Canal
of few witnesses. Date not fixed yet.

11/2

24 4/10 10/10/10

10/10/10

10/10/10 10/10/10 10/10/10

10/10/10 10/10/10 10/10/10

10/10/10 10/10/10

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10/10/10 10/10/10

PROGRESS REPORT.

A.I.G., C.I.D. דרו"ח על "התקדמות" החקירה. تقرير عن تقدم سير التحقيق

TIB/83/45/SR.

Division

Tiberian. Saison P.S.

القسم

أזור

Offence

Manalaught-r, B-o. 212, C.C.O., 1986.

الجرم

المسعى

Serial number of Special Report

83/45.

الرقم المتسلسل للتقرير الخاص

المספר הסודרי של דרו"ח המיוחד

Date of submission of Special Report

17.10.45.

תאריך שלוחת דרו"ח המיוחד

تاريخ تقديم التقرير الخاص

Serial number of Progress Report

2.

رقم التقرير المتسلسل عن تقديم سير التحقيق

المספר הסודרי של דרו"ח התקדמות

Name of complainant

A.O. on behalf of the deceased Abdul "ziz

اسم المذنب

שם המלונן

Name of accused

Customs Guard Yusuf Mabd. jarar.

اسم المتهم

שם הנאשם

DETAILS OF PROGRESS MADE IN THE INVESTIGATION OF THE CASE

تفاصيل عن تقدم سير التحقيق في الدعوى פרטים אודות ההתקדמות שנעשת בחקירת המקרה.

On 12.4.46 case was referred to Court. Date of trial not yet fixed.

Tiberias.

(SUA) R. J. WATKINS, 2/MIS.

22.4.46.

A.B.P., Tiberias.

Copy to :- Supt. of Police, Nazareth.

" " :- A.B.C., Nazareth.

PROGRESS REPORT.

تقرير عن تقدم سير التحقيق
 דו"ח על "התקדמות" החקירה.

83/45

Division Tiberias.

القسم
 أזור

Offence Manslaughter. Section 42.C.C.O. 1934.

הפשע

Serial number of Special Report

29/45.

الرقم المتسلسل للتقرير الخاص
 המספר הסדורי של הדו"ח המיוחד

Date of submission of Special Report

17.10.45.

تاريخ تقديم التقرير الخاص
 תאריך שליחת הדו"ח המיוחד

Serial number of Progress Report

2.

رقم التقرير المتسلسل عن تقدم سير التحقيق
 המספר הסדורי של דו"ח התקדמות

Name of complainant A.G.

اسم المدعى
 שם המלונן

Name of accused Yusef Mahmud Jarrar.

اسم المتهم
 שם הנאשם

DETAILS OF PROGRESS MADE IN THE INVESTIGATION OF THE CASE

تفاصيل عن تقدم سير التحقيق في الدعوى פרטים אודות ההתקדמות שנעשת בחקירת המקרה.

Case referred to court, on 12.4.46.



25.4.46.

Station Officer.

TIB/83/45/SR.

Divisional Police Headquarters,
P.O.B. 14, Tiberias.

26th April, 1946.

HAZARATH, [unclear]

Deputy Commissioner (CTD)

Subject :- B-isan P.S. Case No.
465/45; A.G. v.
Customs Guard No. 394
Yusef Mohd. Yarrar.
Reference:- Your PD/9/ND dated
23.4.46.

On 2.4.46 charge sheet
was filed in Court, but the date
for hearing by the Examining
Magistrate's Court has not been
fixed yet.

(SGD.) H. J. WATKINS, D/INSP

A.S.P., Tiberias.

The Pal

In your reply please quote
No. 3/17/70.

To:-

Deputy Commandant (C.I.D.),
Headquarters,

THE PALESTINE POLICE FORCE,

JERUSALEM.

Subject:- Extradition

PD/9/ND.

District Police H.Q.
Nazareth.

23.4.46.

TIBERIAS.

Handwritten: 11/12-14-46 Change sheet filed in Court -
but no state book been received from court
military wing sent

Subject:- Beisan P.S. Case
No. 465/45; A.G.
v Customs Guard No.
394 Yusef Moh'd.
Jarrar.

Reference:- My even number of
8.3.46.

Kindly state date
fixed for hearing by Ex. Mag.
Court of the a/m case.

Signature: T. Brown
A/Supt. of Police,
Nazareth.

Handwritten: 118/83/45/R
25/4/46

Stamp: SUPERINTENDENT
DISTRICT POLICE
TIBERIAS
DIVISION

FD-302 (Rev. 1-25-60) 100-443887-100

DATE: 1-25-60

TIME: 10:00 AM

REPORT OF: SA [redacted]

TO: SAC, NEW YORK (100-443887)

FROM: SA [redacted]

SUBJECT: [redacted]

RE: [redacted]

REFERENCE: New York letter to Bureau dated 1-22-60.

Enclosed for the Bureau are two copies of the report of SA [redacted] dated 1-22-60.

Very truly yours,
SA [redacted]

TIB/83/45/SR

Divisional Police Headquarters
P.O.B., 14, Tiberias,
12th March, 1946.

BEISAN.

Subject :- Beisan Police Case No. 465/45;
Manslaughter; A.G. v Customs
Guard No. 394 Yusef Mohammed
Jarrar.
Ref'ce :- Attached Case File and Documents.

Attached please find above
mentioned case file with Attorney General's
authority in triplicate for continuance of
proceedings against the above named accused.

2. Please acknowledge receipt of
above and report result of preliminary hearing
in due course.

2/12/46
A.SéP. Tiberias.

1211 Nelson, John.
E.O.B. 12, 11/1/1944.
Division of Police Headquarters.

12/12

PD/9/ND.

DISTRICT POLICE HEADQUARTERS
NAZARETH.

8th. March 1946.

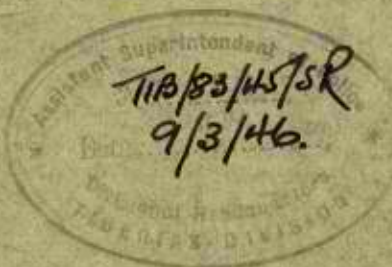
A.S.P. TIBERIAS.

Subject:- Beisan Police Case No.465/45;
Manslaughter; A.G. v Customs
Guard No.394 Yusef Mohammed
Jarrar.

Reference; Attached Case File and documents.

The above mentioned case file is
returned herewith, together with the Attorney
General's authority in triplicate for the
continuance of proceedings against the above
named accused.

2. Kindly acknowledge receipt, and
report result of the preliminary hearing in
due course.



Supt. of Police,
Nazareth.

Insf. C. Ph. see
End 9/3

Pl. pass to Bureau for action 9/1/3
S.R. 9/3 1946
Phon B/F au file 9/3 1946
This file was sent to 12.12.45

1847

TIB/83/45/3R

Divisional Police Headquarters,
P.O.B.14 TIBERIA
11th November 1945.,

B.TIBIA.

Subject :- Belian P.S. Case File 465/45
Ref'ce :- Your CR/465/45 dated 6.11.45(not 6.9.45?)

The above quoted case file is returned
herewith for translation into English as laid down
in the A.I.G C.I.D's Circular letter C.142/32A dated
6th June 1945.

2. Return same to this office upon
completion.

F.C. MATTHEWS
A.S.P. TIBERIA

WR

٤٤/٥
٢٢٥

٤
مكتبه بديك سماخ
٢٤-٦-١٤



حفظ من مدير بديك قسم طبريا المعظم

الموضوع : مخطئة سكة الحديد في سكحن

صوباً لتحريركم رقم ٨/٥/٦ رز ب. تاريخ ٤٤/٦/٨

حسب امركم قد حار اقد اسماء 'صحاب' البونز 'الحديد' التي مودودة في 'الجمعة'
المحتوية في مخطئة سكة سكحن وجرى عليهم 'الزيت' بان لا يمدروا عند فخلوط 'السك'
ولا يتدرون 'وودرهم' ثقب ما بينه 'الخطوط' ولا هيونانتر. تمر من هناك خان
صديهم 'نهم' منقول 'وودرهم' واما 'المرور' لا متفقوا حقه الا ان 'دائرة'

CR/465/45.

Beisan Police Station.
"I" Branch.
6th. Sept. 1945.

A.S.P. TIBERIUS.

Subject:- Beisan case file 465/45.

The above quoted case file is
forwarded to you, for your perusal, and
remarks.

2. Kindly acknowledge receipt.

E. Locke
Station Officer.



P/S Jaffar pl. *Dr. 8/11*

MESSAGE FORM.

Serial No.

No. of
Groups
GR

Office date stamp

(Above this line is for Signals use only)

Originator's number	Date	In reply to number and date
		5
		10
		15
		20
		25
		30

Originator's instructions and signature

(Below this line is for Signals use only)

Sender	System out	Time out	Reader	Sender	System out	Time out	Reader	Sender

Time of
origin
T.O.R.

that these details are transposed to the appropriate portion of the message form and that all possibility of signals, etc., by omitting to remove their signification from the address, etc., is avoided. Before delivery of to be re-instructed in V/I

PROGRESS REPORT.

A.I.O., C.I.D.

TIB/85/45/PR.

Tiberias Division.

Offence: Manslaughter, sec. 302, C.I.D., 1938.

Special Report No. 85/45.

Date of submission: 17.10.45.

Progress Report No. 1.

Complainant :- A.D. on behalf of the deceased

Abul Kalam Khan.

Accused :- Customs Guard Abdul Wahid Khan, 331.

Details of progress made in the investigation of the case.

- 19.10.45. One empty round of Greener ammunition brought to station by Customs, this had been handed then by witness Abd Elcheimer Hazzar who had found it on the track on the day of the offence.
- 23.10.45. Two pieces of lead received from P.Mgt. Amin Sa'ad of Nazareth, these had been handed to him by the doctor at Nazareth, who had extracted them from the body of the deceased during the postmortem.
- 27.10.45. Further statements of witnesses recorded. Investigation proceeding.

Tiberias,
6.11.45.

F. C. MATTHEWS
A.D.P., Tiberias.

Copy to :- Supt. of Police, Nazareth.
" " :- A.D.C., Nazareth.

11/3/137

GOVERNMENT OF PALESTINE.

- - - - -

ASSISTANT DISTRICT COMMISSIONER'S
OFFICES TIBERIAS DIVISION.

Date. 27th November, 1939.

The Assistant District Commissioner, Tiberias
presents his compliments to. A.S.P, Tiberias.

_____ and has the honour to transmit the underme-
tioned documents for. observations and return.

Subject:- Claim for Compensation.
Kasim Mohd. El Hussein.

Reference:- Attached Clon.



Handwritten notes:
Please
for
1/10/40
for
R. M. S.
27/11/39

PROGRESS REPORT.

تقرير عن تقدم سير التحقيق
 דו"ח על "התקדמות" החקירה.

Division Tiberias.

القسم

אזור

Offence Manslaughter. S.212. C.C.O.

الجرم

הפשע

Serial number of Special Report 29/45

الرقم المتسلسل للتقرير الخاصي

המספר הסדורי של הדו"ח המיוחד

Date of submission of Special Report 17.10.45.

تاريخ تقديم التقرير الخاصي

תאריך שליחת הדו"ח המיוחד

Serial number of Progress Report 1.

رقم التقرير المتسلسل عن تقدم سير التحقيق

המספר הסדורי של דו"ח ההתקדמות

Name of complainant A.G. On behalf:- Abdul Azziz Awad.

اسم المدعي

שם המתלונן

Name of accused Customs Guard. Yusuf Mahmud Jarrar. No. 394.

اسم المتهم

שם הנאשם

DETAILS OF PROGRESS MADE IN THE INVESTIGATION OF THE CASE

تفاصيل عن تقدم سير التحقيق في الدعوى פרטים אודות ההתקדמות שנעשת בחקירת המקרה.

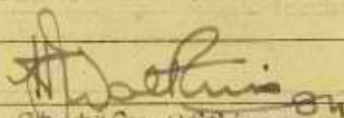
19.10.45. ~~XX~~ One empty round of Greener ammunition brought to station by Customs, this had been handed them by witness Eid Thehelmer Hazzar who had found it on the track on the day of the offence.

23.10.45. Two pieces of lead received from P/Sgt. Amin Sa'ad of Nazareth, these had been handed to him by the Doctor at Nazareth who had extracted them from the body of the deceased during the post-mortem.

Further statements of witnesses recorded.

27.10.45. Investigation Proceeding.

Beisan Police Station.
27th. October. 1945.


Station Officer.

SPECIAL REPORT OF CRIME.

A.I.G., C.I.D.

TIB/83/45/M.

Tiberias Division. Beisan Police Station.
 Serial Number 83/45. Date of submission: 17.10.45.
 Date and time reported, and date of police station at which reported: Beisan P.S. 14.10.45
 (Hatta P.S.) 7.10 am.

Offence:- MURDER. Sec. 302, C.C.O., 1936.

Date, time and place of occurrence: 14.10.45 8.30 am. Beisan
 Arab saddle track.

Place visited by: B.I. within and party.

Date and time police arrived

at place of occurrence: 14.10.45 8.00 am.

Complainant:- A.G. on behalf of the deceased Abdul "Khalid" and
 of "Khalid" son.

Accused :- Yusuf Mahmud "Khalid", age 47 years, Beisan, winner,
 Customs Guard No. 394, 1st.

Name of officer in charge of the investigation: P.T. Ghuryeh.

At the date and time shown above Customs reported to Hatta Police
 Post that they had encountered a party of smugglers and shots had
 been exchanged, one of the smugglers being shot in the back by the
 accused. Police Hatta proceeded to the scene and brought the injured
 man to this station where he was taken to a doctor in Beisan and
 from there conveyed to Hospital. NAZARETH.

Investigation revealed that on 13.10.45 acting upon information
 the two Customs guards, Yusuf Mahmud "Khalid" and Qasim Haid
 and "revenue" officer, Haj "Khalid" went to Arab saddle
 track where they lay in wait. At a time shortly after 5.00 am on
 14.10.45 they saw a party of horsemen coming from a northerly
 direction. On the smugglers seeing the Customs they split up into
 two parties, one returning the way they had come and the other heading
 for the hills. The Customs gave a chase and shots are alleged to
 have been fired at them. The accused replied with shots from his
 Greener gun and hit the deceased in the back. One of the smugglers
 horses had previously been hit.

Police Beisan proceeded to the scene, no remains were found.
 Sketch plan of the scene was drawn. Statements of witnesses
 recorded.

On 16.10.45 telephone message was received from Nazareth
 Hospital stating that the injured man had died during the night.

The following men were arrested by the Customs during the
 encounter on 14.10.45.

1. Yusuf Mahmud "Khalid", 2. Yusuf Mahmud "Khalid", 3. Abdullah "Khalid"
 Haid, and 4. Yusuf Mahmud "Khalid", all of Beisan.

Investigation proceeding.

Tiberias.
 19.10.45.

S. C. MATTHEWS
 A.P., Tiberias.

Copy to :- Supt. of Police, Nazareth.
 " " :- A.P.C., Nazareth.

AMENDMENTS No. 1

Sheet 2.

Number	Rank	Name	Unit	Date Absent
PAL/1667	Dvr	HAJIKEE	R&T Coy RASC	14.4.42
PAL/1415	Dvr	HAIL YUSEF	DRUZE Regt	18.4.42
PAL/14818	Pte	HOLGER	611 P.C.	27.4.42
PAL/25168	Pte	HASSANIEH	P.C.D.	24.4.42
PAL/25091	Pnr	HARAISSI	125 Salvage Unit	9.5.42
PAL/25038	Pnr	HANNIOY A.	do	23.5.42
PAL/25267		HEGAZI Mhd Abdel Atj.	613 Coy P.C.	18.5.42
PAL/25047		HALBOUNI	612 Coy "	7.6.42
PAL/25112		HILWANI	do	9.6.42
PAL/14991		HIMSHOV	do	9.6.42
PAL/18383	Pte	HAMOUH K.M.	3 Pal Buffs	22.5.42
PAL/18654	Pte	HUSSEIN M.A.R.A.	do	26.5.42
PAL/18362	Pte	HUSSEIN RINAWI	9 Pal Buffs	9.6.42
PAL/8818	Sig	HALABI Salim Fandi	RASC (Att.PRTD)	4.5.42
PAL/35006	Sig	HAIJ-MAHMOUD Mhd A.	1 Coy "	4.6.42
PAL/22589		HAIJ-HASSAN Mhd Sul.	P.C.D.	9.6.42
PAL/19819		HARIM YOUNGES H.T.	9 Pal. Buffs	23.6.42
PAL/30005	Dvr	IBRAISH	R&T Coy RASC	29.4.42
PAL/14987		ISHDEED	612 Coy P.C.	9.6.42
PAL/20200	Pte	JABER	Bufs	20.4.42
PAL/18375	Pte	JOHN ATIEH	9 Pal Buffs	10.6.42
PAL/31164	Dvr	JANA Yacoub Yunis	RASC (PRTD)	10.5.42
PAL/787	Pte	JALOUDY	446 G.T.C.RASC	17.6.42
PAL/25449	Pte	JABAWI I.M.	P.C.D.	9.6.42
PAL/25198	Pnr	JAMAL Faris Must.	613 P.C.	9.6.42
PAL/10207	Pte	JUNGSTEIN M.	4 Pal Buffs	26.6.42
PAL/18956	Pte	KHATIB	Bufs	18.4.42
PAL/503	L/C	KOSTERLITS	66 R&T Coy	30.4.42
PAL/13274	Pte	KHASSI	611 P.C.	27.4.42
PAL/25362	Pte	KUZ Mhd Ali Rashid	615 Coy P.C.	27.4.42
PAL/25029	Pnr	KUTCIMI	125 Salv.Unit	5.5.42
PAL/25384	Pnr	KHALAF Jassin Nazzal	613 P.C.	23.5.42
PAL/13836	Pte	KHADER Hassan Odeh	P.C.D.	6.6.42
PAL/14921		KHALIL	612 Coy P.C.	7.6.42
PAL/25235	Pnr	KHALIL Mahmoud Kussein	613 Coy P.C.	9.6.42
PAL/13112	Pte	KRAMASH J.	18 Pal Buffs	11.5.42
PAL/19028	Pte	KRISHT I.K.	7 Pal Buffs	1.5.42
PAL/19143	Pte	KATTAN R.Y.	7 Pal Buffs	9.5.42
PAL/8839	Sig	KASSA Mhd Abd Haf.	RASC (PRTD)	6.5.42
PAL/31087	Dvr	KHASWAN Mhd Said	1 Coy RASC (PRTD)	25.5.42
PAL/35048	Sig	KABRIT Hassan Taha	1 Coy " "	4.6.42
PAL/4101	Pte	KHAROUT Saad E.A.K.	P.C.D.	15.6.42
PAL/25365	Pte	LOWATI	P.C.D.	21.4.42
PAL/17062	Pte	LATZER S.	18 Pal. Buffs	1.6.42
PAL/30031	Dvr	MEYER	66 R & T Coy	29.4.42
PAL/4099	Pte	MASHER Wadi Saleiman	R.A.M.C. P.C.D.	16.5.42
PAL/14682		MUBAYAD	612 Coy P.C.	7.6.42
PAL/14725		Milhem	" "	7.6.42
PAL/18790	Pte	MHD HUSSEIN AMASH	5 Pal. Buffs	4.5.42
PAL/15038	Pte	MIZRAHI Y.	2 Pal. Buffs	16.4.42
PAL/19787		MAHOMED WABIE ISLA	9 Pal. Buffs	13.5.42
PAL/19695		MUSTAFA MAHMOUD Abu Salawi	9 " "	2.6.42
PAL/8649	Sig	MUKREM A.M.	R.A.S.C.(PRTD)	4.5.42
PAL/3211		MAQLAD Salim Ali	" "	6.5.42
PAL/31030	Dvr	MUSLEH Samil Asnad	1 Coy (PRTD)	23.5.42
PAL/8979	Sig	MAJJID RA'OUF Mustafa	1 " "	4.6.42
PAL/30951	Dvr	MIZRAHI David	2 " "	8.6.42
PAL/25317	Pnr	MUMFAKH M.A.	613 Coy P.C.	17.6.42
PAL/18389	Pte	MANAF Mahmoud q.	9 Pal. Buffs	23.6.42
PAL/17039	Pte	MIZRAHI A.	18 Pal Buffs	22.6.42

SPECIAL REPORT OF CRIME.

ד"ח מיוחד אודות פשע. تقرير خصوصي عن الجرم

Division Tiberias. رقم الجدل القتل
المספר הסדורי בפנקס
 Register serial number 405/45
 Serial number 49/45 تاريخ التقديم
تأריך השלוח
 Date of submission 17.10.45.
 Date and time reported, and name of police station at which reported تاريخ ووقت اعطاء الخبر مع ذكر اسم المركز المبلغ اليه
تأריך וזמן המודעה ותחנת המשטרה שלה הודיעו
14.10.45. 7.10.a.m. Shatta Police Post.

Description of offence, and section of Ordinance وصف الجرم والمادة المنطقة من اي قانون
תאור הפשע והסעיף החוק
MANSLAUGHTER. Section.212X.C.C.O. 1936.

Date, time, and place of occurrence תאריך וوقت وموقع الجرم
تأריך וזמן המקרה
14.10.45. 5.30.a.m. Marrasses - Arab Sakhne track.

Place visited by B.I. Watkins and party. اسم المتوجه الى موقع الجرم
מקום ביקר בו
 Date and time police arrived 14.10.45. 2.00.p.m. تاريخ ووقت وصول البوليس الى موقع الجرم
תאריך וזמן שהמשטרה הגיעה למקום המקרה
 at place of occurrence
 Name, religion, address and nationality of complainant اسم ومذهب وعنوان وجنسية المذعي
שם, דת, מועדון ותחנות של המתלוננים
A.G. On behalf of:- Abdul Aziz Awad Said of Silit el Bahi.

Name, age, religion, address, occupation, and nationality of accused اسم وعمر ومذهب ومهنة وعنوان وجنسية المتهم
שם, גיל, דת, ותחנות של האשמים
Yusuf Mahmud Jarrar. Age.47.years. Muslim. Beisan. Customs Guard.394.
Palestinian.

Description, and estimated value of property stolen اوصاف وقيمة الاموال المسروقة المحنة
תאור וערך הרכוש שנגנב

Estimated value of property recovered L.P. — قيمة الاموال المسترجعة المحنة جنبه فلسطيني
ערך הרכוש שהושב במסגרת שלטוניאם (א"י)
 Name of officer in charge of the investigation اسم القاطط المسؤول عن التعقيق في الدعوى
שם הקצין המנהל את החקירה
P/I. Ghrayeb.

Details of offence, and action taken
 פרטי הפשע ופעולות המשטרה. تفاصيل الجرم والاجراءات المتخذة.

At the date and time shown above Customs reported to Shatta P.P. that they had encountered a party of smugglers and shots had been exchanged one of the smugglers being shot in the back by the accused. Police Shatta proceeded to the scene and brought the injured man to this station where he was taken to a Doctor in Beisan and from there conveyed to Hospital Nazareth.
(المرجو قلب الصحة)
 (P.T.O.) (כא להפוך)

Details of offence, and action taken (Continued)

تفاصيل الجريمة والإجراءات المتخذة (تابع ما قبله) פרטי העבירה והפעולות המבוססות. (המשך)

Investigation revealed that on 13.10.45. acting on information the two Customs Guards Yusuf Mahmud Jarrar and Ahmed Hamid Khalaf and Preventive Officer Nahad Haj Ibrahim Jarrar went to Arab Sakine lands where they lay in ambush. At a time shortly after 5.00 a.m. on 14.10.45. they saw a party of horsemen coming from a northerly direction, on the smugglers seeing the Customs they split up in two parties, one returning the way they had come and the other making for the hills. The Customs gave chase and shots are alleged to have been fired at them, the accused replied with shots from his Greener gun and hit the deceased in the back. One of the smugglers horses had previously been hit.

Police Beisan proceeded to the scene, no rounds were found. Sketch plan of the scene was drawn. Statements of witnesses recorded.

On 14.10.45. telephone message was received from Nazareth Hospital stating that the injured man had died during the night.

The following persons were arrested by the Customs during the encounter on 14.10.45. 1/.Fawaz Ahmed Nimr, 2/.Naif Ahmed Nimr, 3/.Abdulla Saïm Zeid, and 4/.Yusuf Said Ibrahim, all of Silit el Dahr.

Investigation Proceeding.

Modus operandi (in cases other than breaking only)

כפייה ארנקאב הגרמ (פי حالات גר הכסר נקט) אופן עשיית העבירה (חוץ ממקרה חדירה לבנין ע"י שבירת דלת או חלון).

Place Beisan P.S.

המקום

Date

17.10.45.

התאריך

[Signature]
Station Officer.

Signature.

האיש. המחזיק

Appointment.

הרבה משרה